

United States District Court

EASTERN

DISTRICT OF

NEW YORK

DEPARTMENT OF AMAZONAS, DEPARTMENT OF ANTIOQUIA, DEPARTMENT OF ATLANTICO, DEPARTMENT OF BOLIVAR, DEPARTMENT OF BOYACA, DEPARTMENT OF CAQUETA, DEPARTMENT OF SANARE, DEPARTMENT OF CESAR, DEPARTMENT OF CHOCO, DEPARTMENT OF CORDOBA, DEPARTMENT OF CUNDINAMARCA, DEPARTMENT OF HUILA, DEPARTMENT OF LA GUAJIRA, DEPARTMENT OF MAGDALENA, DEPARTMENT OF META, DEPARTMENT OF NARIÑO, DEPARTMENT OF NORTE DE SANTANDER, DEPARTMENT OF PUTUMAYO, DEPARTMENT OF QUINDIO, DEPARTMENT OF RISARALDA, DEPARTMENT OF SANTANDER, DEPARTMENT OF SUCRE, DEPARTMENT OF TOLIMA, DEPARTMENT OF VALLE DEL CAUCA, DEPARTMENT OF VAUPES, and NARIÑO DE BOGOTÁ, CAPITAL DISTRICT,

AMENDED

SUMMONS IN A CIVIL CASE

CASE NUMBER: 00 CV 2881 (EHN)

Case assigned to:

Judge Eugene H. Nickerson
Mag. J. Viktor V. Pohorelsky

Plaintiffs,

V.

PHILIP MORRIS COMPANIES, INC., PHILIP MORRIS INCORPORATED d/b/a PHILIP MORRIS, U.S.A., PHILIP MORRIS INTERNATIONAL, INC., PHILIP MORRIS PRODUCTS, INC., PHILIP MORRIS LATIN AMERICA SALES CORPORATION, PHILIP MORRIS DUTY FREE, INC., BRITISH AMERICAN TOBACCO (1998) LTD., A.T. INDUSTRIES P.L.C., BROWN & WILLIAMSON TOBACCO CORPORATION, TOBACCO SERVICES, INC., and BRITISH AMERICAN TOBACCO (SOUTH AMERICA) LTD.,

Defendants.

TO: PHILIP MORRIS DUTY FREE, INC.
800 Westchester Avenue
Rye Brook, New York 10573

YOU ARE HEREBY SUMMONED and required to serve upon PLAINTIFFS' ATTORNEY,

John J. Halloran, Jr., Frank H. Granito, III, Frank H. Granito, Jr.,
Kenneth P. Nolan, SPEISER, KRAUSE, NOLAN & GRANITO, 140 East 45th Street,
New York, New York 10017; (212) 661-0011

an answer to the complaint which is herewith served upon you, within 20 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

ROBERT C. HEINEMANN

CLERK

SEP 19 2000

DATE

Kimberly Daus
(BY) DEPUTY CLERK

RETURN OF SERVICE

Service of the Summons and Complaint was made by me ¹	DATE <u>9/29/00</u>
NAME OF SERVER (PRINT) <u>Thomas A. Frizzell</u>	TITLE <u>Attorney</u>
Check one box below to indicate appropriate method of service	

☒ Served personally upon the defendant. Place where served: c/o Penelope Barnett,
Paralegal, 800 Westchester Ave, Rye Brook, NY

☐ Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.

Name of person with whom the summons and complaint were left: _____

☐ Returned unexecuted: _____

☐ Other (specify): _____

STATEMENT OF SERVICE FEES

TRAVEL	SERVICES	TOTAL
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DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on 9/29/00
 Date

Thomas A. Frizzell
 Signature of Server

Speiser Krause Nolan + Granito
 Address of Server

140 E. 45th St.
New York, NY 10017
(212) 661-0011

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.